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Written statement* submitted by the Union of Arab Jurists, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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The Situation of Iraqi women during war and occupation

Women's rights have always been violated during armed conflict in different ways. Whilst conflicts inflict suffering on everyone, women are particularly affected by its short- and long-term effects. In general they face many challenges in conflict and post-conflict environments – including extreme poverty, displacement from their homes, destruction of social networks, and limited opportunities for employment and income generation.

This report is examining some negative effects of the war and occupation on Iraqi women and their fundamental rights.

Iraqi women before the war and occupation

Since Iraq's independence, women gained important access not only to education, but also health care, employment, political positions and in the economic sphere. Furthermore, women in Iraq made important advances with regards to family rights, the right to serve in the government and their active involvement in political life. During the seventies and eighties of the last century, women's rights in Iraq were the most advanced in the region. By making education compulsory for all by law No. 118 in 1976, the Iraqi government closed the literacy gap between men and women notably and took a great step to eradicate illiteracy and empower women in the working field. The efforts were rewarded when Iraq received the UNESCO award for eradicating illiteracy in 1982. Female literacy reached 87% in 1985 which was by that time far ahead of its neighbouring countries. In 1986, Iraq ratified, as one of the first nation, the Convention on Elimination of all forms of Discrimination Against Women (CEDAW).

Since the brutal UN sanctions of 1990 and the following Gulf War in 1991, women's rights in Iraq have suffered dramatically. Present-day Iraq is plagued by violence, corruption and injustice, transforming the situation of women into a national crisis.

Women after war and occupation

By dissolving the Iraqi army, police and security units in 2003, the US administration created a security vacuum that resulted in chaos and disorder throughout Iraq. This constructed an environment for criminal groups to move freely and target Iraqi women. However also US forces committed numerous violations against Iraqi women. They were detained, tortured and raped. In most cases it was to use them to pressure their husbands, sons and other relatives to cooperate with the US forces during interrogations.

The lack of responsibility taken on by the occupying powers towards these violations paved the way for more abuses and for to the successive Iraqi governments to continue in the same irresponsible way.

Impunity and security

Government forces have targeted women and girls and intimidated them through physical violence, sexual harassment or rape. Several NGOs documented a wave of sexual violence and abductions against women in Baghdad following the invasion.[1] Sexual assaults and violence against Iraqi women by US forces were visible in Iraq. Accusations were made against the invading armies of abuses and rapes. Many women were taken hostage, tortured, and sexually abused.[2]

[1] Human Rights Watch (2003) http://www.hrw.org/reports/2003/07/15/climate-fear-0

[2] Global Research (2005) available at http://www.globalresearch.ca/iraqi-women-under-us-occupation/158 One of the most famous crimes in this regard are the Mahmudiya killings, the gang rape and murder of a 14 year old girl by US soldiers in Iraq in March 2006. Militia forces have also been repeatedly accused of rape and sexual abuses, using the environment created by the war.

Insecurity and lack of accountability severely restrict women's personal mobility and consequently their involvement in public life. The continuous deterioration of the justice, police and security system and the immense corruption of the Iraqi government after the invasion led to an absence of women from the streets or obliging them to wear the veil because of the control exercised by armed and extremist groups in several areas.[3] Fear of rape and abduction keeps women in their homes, out of schools and away from work.[4]

Women in public sphere

According to several Iraqi researchers, the unemployment rate of Iraqi women after the war increased drastically. An Iraqi University professor showed in her survey that at least 85% of educated women are unemployed due to the lack of safe working places provided by the government.[5] The majority of women lost their jobs after the invasion and change in government. The majority of women lost their jobs after the invasion and change in government. Before the invasion, women formed more than 40% of total workers in the public sector however as a consequence of the lack of security in public sphere and the increase in harassment and discrimination of women by police, soldiers and officials as mentioned above, forced women to give up their workplace.

Displaced women in Iraq

Around 4,5 million Iraqis have been displaced inside Iraq since 2003, which is the largest number of displacements in the region since 1948.[6] About 83 percent of this number is made up of women and children. 55% of Iraqi women are displaced and 55% have been subjected to violence.[7] They face strong social stigmas, are highly discriminated and are forced to live in inhumane poor conditions. Since 2003, about 33% of displaced widowed women have not received any humanitarian assistance; 76% of widows do not receive a pension and sometimes are forced to go into temporary marriage with one of the bureaucrats who distribute the funds.[8] Consequentially, the US invasion has led women and girls highly vulnerable to poverty and unemployment.

Sexual exploitation and prostitution

Many Iraqi women have lost their husbands as a result of the armed conflict, generalised violence, and displacement. The resulting financial hardship has made them vulnerable to trafficking for sexual exploitation and prostitution.[9]

As a result of the deteriorating security system driving women into unemployment, sex exploitation of Iraqi women has increased significantly and seems to be the only possibility for many women today to finance their and their children's lives. According to the US' Trafficking in Person Report for 2010 by the Department of State, Iraq is now considered one of "the worst countries" in the world regarding prostitution and sexual exploitation.[10] These are horrifying facts

[3] CEDAW country report Iraq (2014). Available at http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2flRQ%2f4-6&Lang=en .

[4] Human Rights Watch (2014). Available at http://www.hrw.org/sites/default/files/reports/iraq0214webwcover.pdf

[5] Before the invasion, women formed more than 40 percent of total workers in the public sector however as a consequence of augmented religious extremism, the lack of security in public sphere and the increase in harassment and discrimination of women by police, soldiers and officials forced women to give up their workplace. Dr. Yasmine Jawad (2013). Available at http://www.gicj.org/iraq_conference_speeches/Dr_Yasmin_Jawad_Presentation.pdf,

[6] Dr. Yasmine Jawad (2013). Available at http://www.gicj.org/iraq_conference_speeches/Dr_Yasmin_Jawad_Presentation.pdf

[7] Ibid

[8] Dr. Yasmine Jawad (2013). Available at http://www.gicj.org/iraq_conference_speeches/Dr_Yasmin_Jawad_Presentation.pdf

[9] Human Rights Watch (2013). Available at http://www.hrw.org/world-report/2013/country-chapters/iraq?page=2

[10] The report of the U.S. State on trafficking of human beings (2010). Available at http://www.state.gov/documents/organization/142979.pdf

presented by the US, which leaves questions of what steps has the invading power taken to ensure punishment and accountability. Women are lured into forced sexual exploitation through false promises of work[11].

Women in Iraqi prisons and detention facilities

The annual report[12] of the Iraqi Ministry of Human Rights on the situation of prisons and detention centres in Iraq in 2012 indicates that there is a large over-crowding in prisons above its capacity. The same report indicates the cases of allegations of torture and exposure to threats and rape. Sexual abuse as a method of torture against female prisoners is not confined to the notorious Abu Ghraib prison.[13]

In its most recent report of February 2014, Human Rights Watch[14] found that women have been repeatedly subject to rape and sexual assault in Iraqi detention centres. Former detainees reported that their clothing was removed and they were deprived of food and water for days. Additionally, the detention facilities are generally run by men which leaves female detainees vulnerable with regard to their private sphere and increases the risk of sexual harassment and abuses. [15]

Women detained since the end of 2012 told NGOs on the ground that security forces arrested them without showing an arrest warrant, interrogated them about male family members without accusing the women of any crime, and demanded bribes for their release.[16] The majority of women are used as a pressuring tool for their husbands, fathers, brothers or sons.[17] Security forces questioned them about their male relatives' activities rather than their own accused crimes and furthermore forced them to sign statements which they were not allowed to read.[18]

One of the main demands during the peaceful mass demonstrations in December 2012 were to set women prisoners free who are subject to abuses and mistreatment inside Iraqi prisons and detention facilities, after the allegations arose that female prisoners are being raped and sexually abused by guards and security forces.

The central concern

The core reason which continuously reinforces the abuse and discrimination of women in Iraq is the corrupt and flawed judicial system which leaves perpetrators of abuses and violence against women unpunished. This circle of impunity

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[11] Shadow report to CEDAW (2014) available at http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/IRQ/INT_CEDAW_NGO_IRQ_16192_E.pdf
It added: Trafficking of young girls is increasingly common to escape poverty. Women are married off into permanent or temporary marriages to find a better life however very often then fall victim to sexual exploitation.

[12] Iraqi Ministry of Human Rights (2012) in Arabic available at http://www.humanrights.gov.iq/uploads/ali%20pdf/final2012.pdf

[13] Ibid

[14] See Human Rights Watch (2014) available at http://www.hrw.org/news/2014/02/06/iraq-security-forces-abusing-women-detention

[15] Shadow report to CEDAW (2014) available at http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/IRQ/INT_CEDAW_NGO_IRQ_16192_E.pdf

[16] Human Rights Watch (2014). Available at http://www.hrw.org/sites/default/files/reports/iraq0214webwcover.pdf

[17] Many of these women described were being beaten, kicked, slapped, hung upside-down and beaten on their feet, given electric shocks, and raped or threatened with sexual assault by security forces during their interrogations. Human Rights Watch (2014) available at http://www.hrw.org/news/2014/02/06/iraq-security-forces-abusing-women-detention

[18] Ibid, it added that: he Iraqi criminal justice system tortures women into confessions, using horrendous measures including rape in front of their relatives and children. When finally charged and sentenced, the women are additionally abused, tortured and raped inside the detention facilities. The main issue at hand here is the huge failure by the courts to investigate allegations of abuse and hold the abusers responsible and accountable which encourages police and security forces to falsify confessions and continue the use torture and sexual assault.

and corruption is further abused by the male police force, security forces, prison guards and even judges who use confessions retrieved under torture to sentence the female accused. The deteriorated safety of public life is a further reason why women's rights have worsened horrifyingly.

Furthermore, the destruction of the whole health and education system during the US invasion and occupation left women highly vulnerable to life after the war. The death of many male heads of households as the main breadwinners furthermore pushed women into poverty and prostitution, as explained above.

Women's rights are nothing more than mere words introduced by the US and British occupying forces while the reality of Iraqi women live lives of fear and violence after the invasion.

The NGOs signatories to this statement call on the:

- the Special Rapporteur for Violence Against Women to focus in her reports on the cause and consequences of the situation of Iraqi women and investigate all human rights violations and violence against women committed since 2003
- The Human Rights Council to appoint a UN Special Rapporteur for the human rights situation in Iraq
- To ensure that all human rights violations in Iraq during the sanctions and the invasion and occupation are investigated by an international independent body and that perpetrators are held accountable